

From: Tim Campbell
To: George Elmaraghy
CC: Abbot Stevenson
Date: 04/10/08 11:17 AM
Subject: OVCC
Attachments: oepe letter.PDF

George,

Attached is the response that we received from Ohio Valley. They acknowledged the release and provided their sample results which indicate there was a TSS violation. In addition to this violation (and the free-from violation), they failed to monitor the discharge from the slurry impoundment during the months of January and February.

Abbot talked to Ken Mettler, our OSI investigator, yesterday and they are still pursuing the case. We intend to get the referral to CO in the near future. If you need anything else, please call.

Tim



March 31, 2008

Ms. Abbot Stevenson
Environmental Engineer
OEPA – SEDO
2195 Front Street
Logan, OH 43138

Dear Ms. Stevenson:

We are in receipt of your letter of March 21, 2008 requesting additional information. The initial telephone report was followed, per the permit, with a written report that addressed some of the questions in your letter about the circumstances of the discharge of effluent containing slurry. In response to your questions, we have the following responses:

A.

1. As explained previously, the discharge occurred sometime before it was discovered around 8:30 a.m. on February 28. The last time the effluent was checked and was clear was around 2:30 p.m. on February 27.
2. As provided in the NPDES report for February, we estimate that approximately 216,000 gallons were pumped from midnight February 27 to 8:30 a.m. on February 28. Since it is unclear when the slurry shifted, it is impossible to arrive at a more exact estimate of the flow.
3. To better explain the cause of the discharge, it is necessary to explain the new decant system. The new decant is different than the old decant system. The old system basically was a square box with tongue-and-groove stop logs that were used to raise the level of the impoundment. This box was located on the west side of the impoundment where access to the decant system was relatively easy along the shore. The new decant is a pipe that must be raised by welding new sections to the end of the pipe in the impoundment. Therefore, the flow of water cannot be stopped quickly like the old decant system. It is necessary to maintain the level of the water below the top of the decant pipe by pumping into it. The end of the pipe is about 8-10 ft from the shore line. The new decant system is designed to pump into it from the clear water in the impoundment. This works well with the design approved by the federal Mine Safety and Health Administration. To limit seepage of water through the embankment, we will eventually place slurry near the dam and pump water to the decant pipe from the back of the impoundment.

56854 PLEASANT RIDGE ROAD • ALLEDONIA OHIO 43902
(740) 926-1351 • FAX (740) 926-1615

TOVCC 00902

Pumping to the decant pipe began on February 7 because high amounts of rainfall and snow melt had contributed to a rise in the level in the impoundment faster than anticipated. In addition, normal pumping from the impoundment to the Century Mine Preparation Plant was stopped for about a week (February 20 through 27) due to a problem with their pump. Pumping also occurred on three days in January, also to keep the level of water below the end of the decant pipe. According to Mr. Don Meadows, Plant Superintendent, the effluent had been clear of any slurry until the incident on February 28.

We believe that sometime on the morning of February 28, slurry shifted in the impoundment. The slurry came into contact with the suction hose for the pump, which was located near the new decant pipe, and slurry was inadvertently pumped into the decant pipe. Water in the location of the suction line had been clear of slurry prior to February 28. On February 28, when the pumping was stopped, slurry was observed near the new decant pipe where it had not existed previously, leading to the conclusion that the slurry had shifted during the night.

4. To our knowledge the following people discovered the discharge on February 28 and, therefore, have knowledge of the circumstances of the discharge: Mr. Fred Blumling, Project Engineer, who notified Don Meadows, Plant Superintendent, that morning that the creek appeared to be dark; and me.
5. Immediately after the discharge was discovered, the pump was turned off. In the days following the discharge, slurry that remained in the ditches leading to (Outfall 001) was removed to prevent a recurrence when pumping resumes. A dike was placed around the decant pipe to prevent water from discharging over the end of the pipe. In addition, the flow monitor and sampler have been re-installed. See item B.4. for additional information.
6. Mr. Don Meadows was in charge of this effort.

B.

1. The limitation that was exceeded was total suspended solids. The limit is 70 mg/l on a daily basis, and 35 mg/l on a monthly basis. On February 28, a sample was taken downstream of the outfall in Captina Creek. The attached analysis sheet shows the result of the sample.
2. See enclosed analysis.
3. The cause of the exceedance based on information we have to date was that slurry shifted and was inadvertently pumped down the decant pipe.
4. In order to prevent a recurrence, pumping to the decant pipe will only occur in daylight hours when the effluent can be monitored by observation. If necessary, additional pumps will be added so pumping to the decant pipe during non-daylight hours will not be necessary. The pump(s) used to pump to the decant pipe will be

located where there is a minimum of three (3) ft of water over the slurry. During inspections of the pumping system, measurements will be made of the amount of water over the slurry in the location of the decant pump. Training will be given to personnel who work around the pump and decant so they know the proper procedures for: 1.) Checking the discharge and the amount of water over the slurry, and 2.) Stopping the pumping if necessary. A device called a "sludge judge" will be used to determine the amount of water over the slurry by obtaining a sample of the column of water and slurry under the pump suction. These inspections will occur on all three shifts every day that pumping to the decant pipe occurs. Currently, there is 7 ft of water above the slurry at the new pump location. The pump is on a float near the face of the dam. This pump float is 50 ft from the main embankment, where the measurement was taken.

In order to maintain clear water at the pump location, the slurry discharge is maintained at least 1500 ft from the pump. At this time, the amount of clear water over the slurry ranges from 7 ft at the pump, to 0 ft, at a point 700 ft from the main embankment in the middle of the impoundment. Slurry is deposited between 2000 and 3000 ft from the pump location. Flocculant is added to the slurry at the preparation plants to aid in settling in the impoundment.

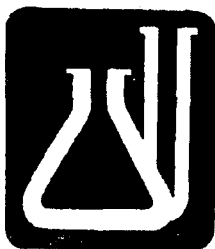
If you have any questions, please contact me.

Sincerely,
THE OHIO VALLEY COAL COMPANY



David L. Bartsch, P.E.
Environmental Coordinator and
Permit Administrator

cc: D. Meadows
K. Hughes
M. McKown
K. Brinkman
R. Schmidt
File



TRA-DET INC.

P. O. BOX 2019
WHEELING, WV 26003-0219
(304) 547-8094
FAX: (304) 547-8097

LABORATORY ANALYSES

SHIPPING ADDRESS
RD #2, BOX 227A
BATTLE RUN ROAD
TRIADELPHIA, WV 26059-9609

Ohio Valley Coal Company
56854 Pleasant Ridge Road
Alledonia, OH 43902
Attn: Mr. David Bartsch

17-Mar-08

By: 
TraDet, Inc.

Company: Ohio Valley Coal Company
Source: Captina

Sample Type: Special Quarterly
Sampled By: QES (ZC)
Date & Time Sampled: 02-28-08 1038
Date & Time Received: 02-28-08 1530

Analysis Number: 0802367

Field pH, S.U. 7.9 S.U.

PARAMETER	CONCENTRATION		DATE & TIME ANALYZED	ANALYST	METHOD	MDL	
pH, Lab	7.82	S.U.	02-28-08 1720	WB	4500HB [2]		
Total Acidity (as CaCO ₃)	0.72	mg/L	03-03-08 1430	WB	2310B(4) [2]	0.16	mg/L
Total Alkalinity (as CaCO ₃)	98	mg/L	03-03-08 1100	WB	2320B [2]	0.13	mg/L
Total Iron	2.8	mg/L	03-05-08 1341	BS	3111B [1]	0.01	mg/L
Total Manganese	0.049	mg/L	03-05-08 1341	BS	3111B [1]	0.002	mg/L
Total Suspended Solids	160	mg/L	02-29-08 1600	WB	2540D [2]	0.87	mg/L
Hardness (as CaCO ₃)	140	mg/L	03-13-08 1230	MY	2340 C [1]	5.0	mg/L
Sulfate (as SO ₄)	66	mg/L	03-13-08 1220	LW	D516-02 [4]	0.65	mg/L
Specific Conductance	440	µmhos/cm	03-07-08 0830	LW	120.1 [3]	0.70	µmhos/cm
Nitrate	1.0	mg/L	02-28-08 1540	LW	352.1 [3]	0.03	mg/L

MDL: Method Detection Limit

[1] Standard Methods, 18th Edition [2] Standard Methods, 20th Edition [3] US EPA [4] ASTM [5] EPA SW846

TOVCC 00905